

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

JAMES ARTHUR LEE,)
Plaintiff,)
vs.)
KEEFE COMMISSARY NETWORK,)
INC., OF MISSOURI, et al.,)
Defendants.)

No. 4:09CV00865 AGF

ORDER

This matter is before the Court on plaintiff's motion to proceed in forma pauperis. An automated search of plaintiff's name in the Administrative Office of the Court's U.S. Party/Case Index indicates that plaintiff has filed numerous actions in various federal courts around the country. At least three of these prior actions have been dismissed as frivolous. See Lee v. Warshaw, Case No. 1:02-CV-20873 (S.D. Fla.); Lee v. Moore, Case No. 1:02-CV-20590 (S.D. Fla.); Lee v. Moore, Case No. 3:00-CV-460-RV (N.D. Fla.); Lee v. Moore, Case No. 5:01-CV-291-MMP (N.D. Fla.); Lee v. Moore, Case No. 5:01-CV-313 (N.D. Fla.); and Lee v. Moore, Case No. 1:03-CV-15-MMP (N.D. Fla.). Under 28 U.S.C. § 1915(g), therefore, the Court may not grant the motion unless plaintiff presently "is under imminent danger of serious physical injury."

After reviewing the complaint, the Court finds no allegations that would show that plaintiff is in imminent danger of serious physical injury. As a result, the Court will deny the motion and dismiss this action without prejudice to refiling as a fully paid complaint.

Accordingly,

IT IS HEREBY ORDERED that plaintiff's motion to proceed in forma pauperis is **DENIED**.

IT IS FURTHER ORDERED that this action is **DISMISSED**, without prejudice, pursuant to 28 U.S.C. § 1915(g).

An Order of Dismissal shall accompany this Memorandum and Order.

Dated this 29th day of June, 2009.

/s/ Jean C. Hamilton
UNITED STATES DISTRICT JUDGE